

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST

INFO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: BTRA, RO

SUBJECT: REQUEST FOR ASSISTANCE: US BUSINESSMAN JAMES E.
ROSS

1. BEGIN UNCLASSIFIED: DEPARTMENT HAS BEEN REQUESTED ASCERTAIN WHETHER HOUSTON ATTORNEY JAMES E. ROSS, CURRENTLY VISITING LONDON, COULD USEFULLY VISIT BUCHAREST IN CONNECTION WITH ENQUIRY INTO AN INSURANCE CLAIM FILED ON A SHIPMENT OF 1.8 MILLION DOLS US PETROLEUM FROM CONSTANTA TO HOUSTON. ROSS IS SENIOR PARTNER ROSS, HARRISON, AND GRIGGS, ATTORNEYS, 927 CHAMBER OF COMMERCE BUILDING, HOUSTON, TEXAS; 77002. HE REPRESENTS AN INSURANCE UNDERWRITER (LLOYDS). ROSS WISHES TO ASCERTAIN TO THE DEGREE FEASIBLE TECHNICAL DETAILS CONCERNING THE LOADING OF PETROLEUM PRODUCTS (ALLEGEDLY NUMBER 6 FUEL OIL) ONTO THE SS GEROS, A GREEK TRAMPER, IN CONSTANTA ON OR ABOUT FEBRUARY 5, 1974. ON ARRIVAL HOUSTON, GEROS OWNERS FILED 1.8 MILLION DOLS US INSURANCE CLAIM ALLEGING CONTAMINATION OF THE SHIPMENT. ENTERPRISE FROM WHICH POL WAS PURCHASED IS PETROLEXPORT, CONSTANTA.

2. ROSS DESIRES INTERVIEW THOSE ROMANIAN OFFICIALS COGNIZANT OF THE TECHNICAL DETAILS OF THE LOADING --
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WHETHER NORMAL PRECAUTIONS AGAINST CONTAMINATION WERE

OBSERVED, PRECISE NATURE OF POL ONLOADED, ETC. HE WOULD

GREATLY APPRECIATE EMBASSY ADVICE WHETHER SUCH INTER-VIEWS ARE PRACTICAL, AND IF SO, ASSISTANCE IN ARRANGING THEM. ROSS WILL BE IN LONDON FOR APPROXIMATELY TWO WEEKS FROM OCTOBER 14 AND CAN VISIT BUCHAREST AND/OR CONSTANTA THIS MONTH IF PROSPECTS FOR OBTAINING INFORMATION HE SEEKS APPEAR REASONABLE. DEPARTMENT WOULD APPRECIATE EMBASSY BUCHAREST INFORMING EMBASSY LONDON BY TELEGRAM INFO DEPARTMENT WHETHER IN ITS JUDGMENT VISIT WOULD BE WORTHWHILE.

3. EMBASSY LONDON CAN REACH ROSS AT CLARIDGES. HE MAY ALSO CONTACT COMMERCIAL COUNSELOR LONDON. END UNCLASSIFIED.

4. BEGIN LOU: FYI, ROSS SUSPECTS INSURANCE CLAIM MAY BE FRAUDULENT. TECHNICAL DETAILS PROVIDED IN SUPPORT OF CLAIM APPEAR QUESTIONABLE. ALSO, OWNERS STAND TO LOSE A GOOD DEAL ON THE SHIPMENT DUE TO RAPID DECLINE IN POL PRICES BETWEEN PURCHASE DATE IN ROMANIA AND SALE IN US.

5. IF ROSS CONTACTS KNOWLEDGEABLE SOURCE IN ROMANIA, HE WILL INFORMALLY INTERVIEW AND ON BASIS OF THAT, SUBSEQUENTLY DETERMINE WHETHER HIS CLIENT'S CASE REQUIRES A FORMAL DEPOSITION FOR USE IN A US COURT. SHOULD THAT BE THE CASE, ROSS WILL SEEK ADVICE WHETHER AND HOW SUCH A LEGALLY VALID DEPOSITION MAY BE OBTAINED FROM A ROMANIAN CITIZEN. IT IS OUR UNDERSTANDING HERE THAT THERE ARE NO REGULARLY ESTABLISHED PROCEDURES FOR TAKING OF DEPOSITIONS FROM ROMANIAN CITIZENS IN ROMANIA FOR USE IN A US COURT. IF THIS IS THE CASE, WHAT IN YOUR ESTIMATION ARE THE CHANCES OF A ROMANIAN COURT AGREEING INFORMALLY TO HONOR A REQUEST FOR A DEPOSITION FROM A US COURT? (EVEN IF A DEPOSITION IS NOT OBTAINABLE, ROSS FEELS INFORMAL INTERVIEW COULD BE VERY USEFUL.) INGERSOLL

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